

# Union Calendar No. 216

114TH CONGRESS  
1ST SESSION

# H. R. 3510

[Report No. 114-284]

To amend the Homeland Security Act of 2002 to require the Secretary of Homeland Security to develop a cybersecurity strategy for the Department of Homeland Security, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 15, 2015

Mr. RICHMOND introduced the following bill; which was referred to the Committee on Homeland Security

OCTOBER 6, 2015

Additional sponsors: Mr. RATCLIFFE, Mr. McCaul, and Mr. THOMPSON of Mississippi

OCTOBER 6, 2015

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on September 15, 2015]

# A BILL

To amend the Homeland Security Act of 2002 to require the Secretary of Homeland Security to develop a cybersecurity strategy for the Department of Homeland Security, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2   *tives of the United States of America in Congress assembled,*

3   **SECTION 1. SHORT TITLE.**

4       *This Act may be cited as the “Department of Home-*  
5   *land Security Cybersecurity Strategy Act of 2015”.*

6   **SEC. 2. CYBERSECURITY STRATEGY FOR THE DEPARTMENT**

7                   **OF HOMELAND SECURITY.**

8       (i) *IN GENERAL.—Subtitle C of title II of the Home-*  
9   *land Security Act of 2002 (6 U.S.C. 141 et seq.) is amended*  
10   *by adding at the end the following new section:*

11   **“SEC. 230. CYBERSECURITY STRATEGY.**

12       “(a) *IN GENERAL.—Not later than 60 days after the*  
13   *date of the enactment of this section, the Secretary shall*  
14   *develop a departmental strategy to carry out cybersecurity*  
15   *responsibilities as set forth in law.*

16       “(b) *CONTENTS.—The strategy required under sub-*  
17   *section (a) shall include the following:*

18               “(1) *Strategic and operational goals and prior-*  
19   *ities to successfully execute the full range of the Sec-*  
20   *retary’s cybersecurity responsibilities.*

21               “(2) *Information on the programs, policies, and*  
22   *activities that are required to successfully execute the*  
23   *full range of the Secretary’s cybersecurity responsibil-*  
24   *ties, including programs, policies, and activities in*  
25   *furtherance of the following:*

1               “(A) Cybersecurity functions set forth in the  
2 second section 226 (relating to the national cy-  
3 bersecurity and communications integration cen-  
4 ter).

5               “(B) Cybersecurity investigations capabili-  
6 ties.

7               “(C) Cybersecurity research and develop-  
8 ment.

9               “(D) Engagement with international cyber-  
10 security partners.

11              “(c) CONSIDERATIONS.—In developing the strategy re-  
12 quired under subsection (a), the Secretary shall—

13              “(1) consider—

14               “(A) the cybersecurity strategy for the  
15 Homeland Security Enterprise published by the  
16 Secretary in November 2011;

17               “(B) the Department of Homeland Security  
18 Fiscal Years 2014–2018 Strategic Plan; and

19               “(C) the most recent Quadrennial Home-  
20 land Security Review issued pursuant to section  
21 707; and

22              “(2) include information on the roles and re-  
23 sponsibilities of components and offices of the Depart-  
24 ment, to the extent practicable, to carry out such  
25 strategy.

1       “(d) *IMPLEMENTATION PLAN.*—Not later than 90 days  
2 after the development of the strategy required under sub-  
3 section (a), the Secretary shall issue an implementation  
4 plan for the strategy that includes the following:

5           “(1) Strategic objectives and corresponding tasks.  
6           “(2) Projected timelines and costs for such tasks.  
7           “(3) Metrics to evaluate performance of such  
8 tasks.

9       “(e) *CONGRESSIONAL OVERSIGHT.*—The Secretary  
10 shall submit to the Committee on Homeland Security of the  
11 House of Representatives and the Committee on Homeland  
12 Security and Governmental Affairs of the Senate for assess-  
13 ment the following:

14           “(1) A copy of the strategy required under sub-  
15 section (a) upon issuance.

16           “(2) A copy of the implementation plan required  
17 under subsection (d) upon issuance, together with de-  
18 tailed information on any associated legislative or  
19 budgetary proposals.

20       “(f) *PROHIBITION ON REORGANIZATION.*—In the event  
21 that the strategy required under subsection (a) or imple-  
22 mentation plan required under subsection (d) includes ac-  
23 tions to reorganize departmental components or offices, such  
24 actions may not be executed without prior congressional au-  
25 thorization.

1       “(g) *CLASSIFIED INFORMATION.*—The strategy re-  
2 quired under subsection (a) shall be in an unclassified form  
3 but may contain a classified annex.

4       “(h) *RULE OF CONSTRUCTION.*—Nothing in this sec-  
5 tion may be construed as permitting the Department to en-  
6 gage in monitoring, surveillance, exfiltration, or other col-  
7 lection activities for the purpose of tracking an individual’s  
8 personally identifiable information.

9       “(i) *DEFINITIONS.*—In this section:

10       “(1) *CYBERSECURITY RISK.*—The term ‘cyberse-  
11 curity risk’ has the meaning given such term in the  
12 second section 226, relating to the national cybersecu-  
13 rity and communications integration center.

14       “(2) *HOMELAND SECURITY ENTERPRISE.*—The  
15 term ‘Homeland Security Enterprise’ means relevant  
16 governmental and nongovernmental entities involved  
17 in homeland security, including Federal, State, local,  
18 and tribal government officials, private sector rep-  
19 resentatives, academics, and other policy experts.

20       “(3) *INCIDENT.*—The term ‘incident’ has the  
21 meaning given such term in the second section 226,  
22 relating to the national cybersecurity and commu-  
23 nications integration center.”.

24       (b) *CLERICAL AMENDMENT.*—The table of contents in  
25 section 1(b) of the Homeland Security Act of 2002 is

1    amended by adding at the end of the list of items for subtitle  
2    C of title II the following new item:

“Sec. 230. Cybersecurity strategy.”.

3                 (c) AMENDMENT TO DEFINITION.—Paragraph (2) of  
4    subsection (a) of the second section 226 of the Homeland  
5    Security Act of 2002 (6 U.S.C. 148; relating to the national  
6    cybersecurity and communications integration center) is  
7    amended to read as follows:

8                 “(2) the term ‘incident’ means an occurrence  
9    that actually or imminently jeopardizes, without law-  
10   ful authority, the integrity, confidentiality, or avail-  
11   ability of information on an information system, or  
12   actually or imminently jeopardizes, without lawful  
13   authority, an information system;”.

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